

Remarks

With the filing of the Request for Continued Examination herewith, we hereby withdraw the appeal of the present application.

We have canceled the pending claims and have submitted new claims 16-20. Support for the new claims may be found on page 83, lines 20-27; page 23, lines 10-19 (defining "a manganese dioxide"); and elsewhere in the specification; as well as in the canceled claims.

The claimed invention distinguishes over the references cited in the final office action dated February 21, 2002, specifically, DE 40 07 965 A1 (DE '965) and U.S. Patent No. 4,673,594 to Smith (Smith). DE '965 fails to teach or suggest the claimed mixture combination of a manganese dioxide, an organic binder and a clay. In contrast, Applicants have discovered that the use of clay minerals in manganese dioxide catalyst slurries containing an organic binder unexpectedly improves the adhesion of the resulting catalyst coatings to metal substrates (see page 83, lines 20-24 of the specification). The clay counters the adhesion loss believed to be caused by degradation of the organic binder by a manganese dioxide (see page 83, lines 24-27 of the specification).

Smith teaches a method for applying a layer of fiber to a surface while simultaneously coating the fiber with an inorganic binder (see column 2, lines 36-38 of Smith). Thus, the organic binder required in the present claims is neither taught nor suggested in Smith.

In light of the foregoing, we respectfully submit that the claims, as amended, define a novel and non-obvious invention that fully merits patent protection. Accordingly, we respectfully request that the entire application be allowed at an early date.

This response is being filed after four months but before five months after the Notice of Appeal filed on June 19, 2003. Authorization to charge the fee required for a three-month

09/758,132 (4590/4591 A (CIP))

Amendment

November 10, 2003

Page 4

extension for response, as well as any other fee deemed to be required, to deposit Account No. 05-1070 is hereby granted.

Respectfully submitted,



Russell G. Lindenfeldar
Reg. No. 39,750

ENGELHARD CORPORATION
101 Wood Avenue
PO Box 770
Iselin, NJ 08830
Tel. 732-205-7125